

Town of Framingham Planning Board Meeting December 9, 2003

In attendance are Helen Lemoine, Chairperson, Larry Marsh, Vice Chairperson, Ann Welles, Clerk, Tom Mahoney and Carol Spack and Jim Lagerbom. Also present is Jay Grande, Planning Administrator and Carol Pontremoli, Administrative Assistant.

Meeting was called to order at 7:45 pm

I. Miscellaneous Administration

Doeskin II documents are still being reviewed by Town Counsel so this will need to be deferred until next week. The 593 Consultant contract has been signed and faxed to Attorney Peter Barbieri

Jay noted that he made a spreadsheet called Document # Development Spreadsheet which gives a listing of all developments under the Boards Review. Currently there are 47 projects under the Planning Board with another due to be added. This will also be added to our online database. The sequence is all projects under review are first but can be broken down even further. Jay suggested everyone to look at this report and let him know if the Board would like to make any changes in the format.

Lastly is the Over 55 By-law. Jay has made additional changes to what Donna has done. He would like to finalize this document and would like the Board to take a look at it for its comments.

Ann would like to make Tuesday March 2nd as a working night.

I. Public Hearings

Continued Public Hearing, Special Permit for OSRD, Definitive Subdivision Plan Approval, Modification to a Scenic Road, and Public Way Access Permit, Ford's Meadow, 45 Nixon Road

Continued to December 16, 2003 at 7:35 pm

Continued Public Hearing Special Permit for Reduction in the Required Number of Parking Spaces and Site Plan Review Approval, 46 Morton Street

Helen will not be sitting on this case since she was not here the night that it was presented. Jim Lagerbom will be sitting on this hearing.

In attendance are Paul Galvani, David Einis, Applicant and Joe Sullivan, McCarthy and Sullivan Engineering.

Paul Galvani gave the following as an overview. This is a building on Morton Street which is off Waverly Street. It is zoned manufacturing. Paul filed revised plans and revised landscape plans. They changed the curb cut, and green space shown on the revised plan in October 2003. There is landscaping along the front and back of the property and noted a change in the curb cut which will be open with no gate.

Jim Lagerbom asked about snow removal. There are only five employees and some parking spaces can be used for snow removal.

Larry asked Jay to give an update. He would like to reference the letter from the Police Dept regarding lack of parking spaces and snow storage. A Conservation Letter noted Approval Not Required. Doc 2083-03 is from DPW and has identified issues regarding water and sewer but would not expect any problems with a new building. The Board of Health has not commented to date.

Larry asked Paul what this type of business. This will be truck repair. There will be very little visitor parking, typically no sales people accessing. A truck could be there in repair for long periods of time. Paul has requested a reduction from 19 to 15. He notes he sent a response to the Police Department; Paul explained this comes under a small site plan review. Paul notes this went through the Special Permit review under the Zoning Board of Appeals and will come up for expiration in March, 2004.

This will be an industrial looking building with four bays. This would be an improvement from the current run down building currently standing. The building will be 68 x 70 feet metal building.

Tom Mahoney wanted to know what types of trucks they will be repairing.

Mr. Einis noted they will be tractor trailer cabs and trucks.

Paul noted the conditions listed by the ZBA decision which will have to be followed under the Special Permit for Use.

Tom asked for examples in parking from other similar companies.

Carol reads into the record from the Manufacturing Zoning status in the Zoning By-laws. She is concerned about idling of trucks in close proximity to homes in the area.

Mr. Einis noted there will be no idling and feels comfortable with a clause.

Carol also asked if there will be any fuels on site, gas or oil. She wants to see if Joe Sullivan can show what a tractor trailer truck would look like on the street in traffic.

The curb cut is 105 feet and 54.6 to building and another 8 feet to gutter line. Joe feels the biggest truck would be approximately 55 feet.

Mr. Einis explained that it could be a situation where only the cab being inside or the trailer or both together if small enough.

Jay noted the DPW and Engineering will need to respond to this project also. There is an existing operation next door. Mr. Joseph Fantoni owns the existing business. He would like to expand his property. Mr. Einis would be utilizing the property for the same type of business.

Jay feels the conditions for this should be considered as in previous applications with other repair shops.

Larry asked Jay what he suggests the Board should do. Jay feels snow may be trucked to another site and there should be no parking on Morton Street itself.

Paul noted his e-mail on this issue.

Bob O'Neil , 46 Irving Street- feels this would be an asset to Framingham

Ann feels the details here may need some tweaking and feels this would be an improvement to what is currently there. She wants to know what type fence. If it is wooden she would like a clause that says the fence should be kept in good repair. She wanted to know what the DPW has sent for conditions. She also asked about the drains. Engineering was concerned with what was proposed so they revised them.

Ann asked about the 21E which was done on the property. Mr. Einis noted he has cleaned the whole site.

Tom noted the Board recently approved an auto repair and asked if Jay would pull that decision so they could have some in-site to this hearing.

Carol is concerned that there is an intensification of use with the four bays plus the one bay which is next door.

Jay asked Paul if this is the same plan as to what went before the ZBA.

Larry feels there needs to be some general issues regarding noise control and parking

Paul Galvani will do a draft decision for the Board to review.

Jay assured Carol Spack that the Board of Health has purchased a noise control.

This hearing is continued to December 23, at 8:00 pm

Public Hearing, Site Plan Review Approval and Public Way Access Permit, 11 Beech Street

Continued to December 23, 2003 at 8:00 pm

**Larry noted the time is 8:45 and the next hearing is for 9:00 pm.
He called for a 10 minute break.**

Continued Public Hearing, Definitive Subdivision Plan Review Approval, Modification to a Scenic Road, and Public Way Access Permit, Fenwick Farms, 70 Fenwick Street

In attendance is Paul Galvani, Attorney, Peter Baril, Domenic Venuto, Developer, Peter Lavoie, Guerrier and Halnon.

Jay gave an update on this project. Jay noted there is a traffic review. Jay has been working with the applicant. Changes have been made to the storm-water basin. He feels they will need additional attention. The Tree Warden would like to review the street-scape improvements and street trees that would be impacted on revision. Some issues he feels that need to be discussed are traffic review, site design and request from Fire Dept with regards to the looping.

Paul Galvani will summarize relative to the traffic. At peak hour in the morning there were 13 cars and at peak hour in evening there were 17 cars. There were no changes in level of service. The areas studied were Fenwick, Brook, and Londonderry. There is adequate stopping distance on Fenwick St. Ann asked Paul why the traffic study was done on Sunday afternoon when there is less traffic. Paul explained that this is done due to this study being based on speed and would note the traffic is less but also can be kept up.

Carol asked about the large intersection at Wickford and Fenwick Streets which is a four cornered intersection. Paul noted the traffic study used 65 % in that direction with the other 35% in the Central Street direction. He explained they are at "A" level of service. The last accident was in 2001.

Larry is always looking for 593 review consultants and feels Gilliam and Associates have done a good job in the presentation. He feels we should use them if there is a future need.

Helen would like to break away from traffic. She explains to the audience that the project can not be turned down because of traffic.

Kathy Swift, Brook Street, she noted there has been many accidents that are not noted. She also noted there are no sidewalks and that Sunday is not a good day to do traffic studies

Katherine Wallaton, 2 Fenwick St – she suggests the speed during the weekday is slower than on the weekend. She also wants to know what the general norm's are of the number of houses would be. She noted there are 18 houses from Wickford to Fenwick. This proposal would increase that number by 50%. She would like to clarify the intersection rating systems – it seems that it has gone from an A to B on Brook Street.

Paul would like to note there were no changes to level of service due to the development and all would be at level of A. Level of service onto Brook Street would be a B and would continue to be B. D being a lower rating. Larry asked if the density would increase the traffic. Paul noted this would be consistent with area.

Steve Rifkin, 39 Fenwick Street- The Police did a traffic study last year and they were amazed at the volume of traffic during the course of the study.

Robin Carmen, 61 Fenwick Street is concerned with increase of traffic and lack of sidewalk. She asked if Framingham considered making Fenwick a one way street?

Helen explained the Planning Board does not have control over that situation. The Selectmen has that ability.

Sue Bernstein, commented regarding the density of the homes in the current neighborhood is ranches and the new development would be colonials. She would like to see sidewalks.

Carol has asked about the two schools in the area, school busses, etc. Also Carol would like to know what the funeral schedule would be for the cemetery and what the impact would have been.

Tom would like clarification as to when the traffic study was actually taken. He can't tell when and what time this was taken.

Jay noted the Traffic Committee would be going over this and will have questions.

Ann would like to see in the future the time specified for the peak times.

Paul noted this traffic study was based on the full plan with the ANR also included.

Roadway Design

Peter Lavoie gave an update based on Jay Grande's input. They reduced it to 40 feet. There is a 30 foot buffer. Another recommendation was to have one sidewalk with the width of the road staying the same. The basin is much smaller with roughly a 30 foot buffer with where the basis is now. Engineering Department was also at these meetings and had input into the revise plans. They created a swale. They should not have to cut any trees.

Jay noted there were two other elements. There are the reduction in the road and street trees that would be impacted. The common driveway was extended. This would re-enforce the scenic part of the street.

Tom asked about the additional 20 feet on the northerly line and asked if that would be a no cut zone. Peter Lavoie noted he would probably increase the

landscape buffer. Tom would hope there would be a 10 foot no cut zone. Peter mentioned there would be a new fence.

Tom asked about the site distance coming out and with the curb cut, he would like to see some calculations on site distance with existing trees.

Larry asked about the house on the left and asked about the shortest distance to the rear set back. Peter noted 25 feet. Larry asked where the closest abutter would be.

Jay gave them a site plan that shows the houses. Peter got the plan and placed on the easel. He showed the existing house on Anderson Street which is roughly 25 feet also.

Larry would like to compliment them on the revised lot layout. When you look at this and it is still pretty dense. He would like to leave that on the table for discussion.

Helen asked about the fence and make sure it is an appropriate fence. Jay picked a shadowbox fence.

Ann like the idea of the parallel access road and helps tremendously use of land. She would like to see a sidewalk. She would like to remind them about the notation of the trees and the removals.

Carol would like to compliment them on the revisions. She would like to comment on shared parking lots. She questions about the habitat for other creatures.

Tom once again compliments them on revisions and believes a sidewalk with common drive on the ANR lots would be a great addition. He feels that everything he has heard is positive but would like to see a reduction in the houses.

Carol asked if they have considered a loop road going in and out.

Peter Lavoie did do a concept for a loop road. He explained the number of homes would increase.

Ann asked about the original house and barn? Peter noted the house is on lot 7 and the barn is on lot 8. Peter noted even with the access road the house and barn would be on an ANR lot.

Chris Bracket, 18 Fenwick – The property is open and there are three trees in bad shape. She noted there is scrub bush but many daffodils. She has worked very hard. She also mentioned she does not know anything about the fence.

Bob Haggerty lives diagonally across from the cemetery. If you travel north from Wickford Road he notes it is very dangerous and would like to see something about the entering and existing.

Helen asked Jay to have the Traffic Committee check on Fenwick and Brook St also Fenwick and Wickford.

Helen asked Jay for an overview. He asked the Board to look at Document #2067-03 from Conservation Commission. During the ANR plan review the abutters had mentioned a potential wetland in the area. Upon inspection it appears there is no wetland. The new conservation agent was asked to respond to the sub-division and not the ANR. Michele Grzenda noted the retention area and noted a vernal pool and with snail shells. Under Chapter 41 this applies to the applicant following the Conservation Commission. If we can not address it at this issue, we would have to attach a condition to make sure that Conservation Commission does.

Paul would like to address and notes that they have to deal with this issue. He disagrees strenuously. They intend to move forward on this plan and notes the process is particularly distressed. They have paid a lot of attention to this area. Judith Schmidt and Cindy Dionne walked the area and noted there is no vernal pool. Now out of the blue the new Conservation Commissioner went out there unannounced and has come back with a letter to the contrary.

Judith Schmidt put together a letter that explains their position and will give an overview. Judith did discuss this with Michele today. Judith did agree with most of her questions. She notes the area behind the basin accumulates water, drains and dries. Last spring there was plenty of rain fall and they saw first hand and measured the water and noted there was not enough water to be considered wetlands. On June 25, there was more rain and was peak breeding for insects, birds or amphibians. She reviewed Michele's letter regarding small snail shells. Judith discussed what is in the jurisdiction and discussed the definition of vernal pool in the Framingham By-Law. Michele has only been here for one month and Michele has not seen the water or lack thereof.

Carol asked about page two of Judith's letter regarding the observation being dry. She feels that the snow and rain started late this year.

Helen interrupted and asked if the information we are hearing is more for Conservation and not appropriate for the Planning Board.

Ann asked where this vernal pool might be located. Judith noted where the depression is located on the plans. Ann asked Peter if the lowest elevation is for the vernal pool can you show on the plan where this is located. Peter stepped to the plans and noted the three houses and basin.

Larry is questioned if this is true.

Helen asked the audience and board if there are any questions.

Helen asked about the looping the road.

Peter Lavoie went to the plans and noted at the last meeting Engineering asked about re-looping and they were able to do what was asked.

Helen asked Jay what he would like to do. Jay would like a revised submittal and then submit them. He would like to then have some time to get comments from the Departments.

Sue Bernstein did not hear Jay mention anything about the sidewalks on Fenwick Street.

Jay assumed this. This will need to be discussed by DPW.

Steve Rifkin noted the sidewalk to get the young children to school. He asked if there is a study for a 593 consultant.

Carol asked when the old well was dug.

Judith noted it was dug a long time ago. It ties into some gardens.

This hearing will be continued to January 13, 2003 at 7:35 pm for one hour.

Larry made a Motion to adjourn

Carol seconded the motion

Voted 5 approve 0 oppose.

Meeting Adjourned at 10:30 pm

Respectfully submitted,

Carol A. Pontremoli
Recording Secretary

****THESE MINUTES WERE APPROVED WITH AMENDMENTS AT
THE PLANNING BOARD MEETING OF JUNE 15,2004.**

Thomas Mahoney, Chairman